

**From:** Williams, Cheryl B.  
**Sent time:** 07/30/2013 01:26:40 PM  
**To:** Silver, Meg; Boyd, Andrew  
**Subject:** RE: Referral to ORC - North Pole Refinery

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Thanks Meg and Andy!  
Andy. You got a copy of the draft 3007, yes?  
I'll make a copy of the notice it is based on and get it up to you.  
cw

*Cheryl*

Cheryl Williams, Team Lead  
RCRA (Hazardous Waste) Compliance and Enforcement  
Office of Compliance and Enforcement  
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**From:** Silver, Meg  
**Sent:** Tuesday, July 30, 2013 1:23 PM  
**To:** Downey, Scott; Williams, Cheryl B.  
**Cc:** Boyd, Andrew  
**Subject:** RE: Referral to ORC - North Pole Refinery

Andy Boyd will handle this case for ORC. Thanks, Andy!

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**From:** Downey, Scott  
**Sent:** Monday, July 29, 2013 3:06 PM  
**To:** Silver, Meg  
**Subject:** FW: Referral to ORC - North Pole Refinery

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Meg – here's the attorney request I mentioned to review an Information Request. Cheryl thinks this is a RCRA-only issue.

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Scott Downey, Manager  
Air and RCRA Compliance Unit  
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**From:** Williams, Cheryl B.  
**Sent:** Monday, July 29, 2013 2:55 PM  
**To:** Downey, Scott  
**Subject:** Referral to ORC - North Pole Refinery

Scott,  
By this e-mail I am asking that you request ORC support for the following case.

**Background:**

Earlier in the month we received a notice from the North Pole Refinery, owned by Flint Hills (North Pole, Alaska) that they had activated their contingency plan as required for LQGs (see 40 CFR 265.56(i)). The notice states that iron sulfide that was located in a roll off container spontaneously combusted (characteristic hazardous waste D001) and then a few days later re-ignited. Although the Facility complied with the regulations to notify us, the fact that the generation of this waste stream is common in the industry and fires from this waste stream are a known danger - I am concerned that there may have been a lack of training or inadequate waste designation at the time of the occurrences. Therefore, I have drafted an information request (3007) to probe a bit at these questions. I believe there might be a violation of training requirements and also 265.31 which requires that facilities be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of a hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. I have sent an e-mail to the local fire department requesting incident reports related to these events.

**Projected Level of Effort:**

Up to 2 hours (in the short term) to read the Information Request and incident report and to discuss case and necessary evidence/appropriate response.  
Because there were two sudden, unplanned releases of hazardous waste documented by the facility I believe that getting any additional information necessary for a penalty case should be fairly easy as RCRA cases go.  
Purpose of the enforcement action would be to create a deterrent so that future fires will not happen.  
Attached is a draft 3007 letter.

Jo: Please use this to document a NRR (today's date) in RCRA Info.

*Cheryl*

Cheryl Williams, Team Lead  
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Office of Compliance and Enforcement  
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